Board code of conduct policy

# Why do we need this policy?

Social Work England was established under the Children and Social Work Act 2017 (the Act) to be the single-profession regulator for social workers in England. Our powers and obligations are set out in part 2 of the Act[[1]](#footnote-2) and The Social Workers Regulations 2018. Our over-arching objective is the protection of the public. The pursuit of our over-arching objective involves the following objectives:

(a) to protect, promote and maintain the health, safety and well-being of the public;

(b) to promote and maintain public confidence in social workers in England; and

(c) to promote and maintain proper professional standards for social workers in England.

1.2 We are a separate legal entity in the form of a non-departmental public body (NDPB). We operate at arm’s length from government and comply with all of the requirements for an NDPB and the principles of good governance for public bodies.

1.3 The principles of this policy have been adapted from the Code of Conduct for Board Members of Public Bodies[[2]](#footnote-3) (last revised in 2019) and apply to all Non-Executive Directors.

1.4 The Code of Conduct for our board members provides guidance on the responsibilities and standards of conduct expected of all board members, including those that sit on the board’s sub-committees – audit and risk assurance committee, policy committee and remuneration committee. Board members are expected to subscribe to this Code of Conduct and comply with it while carrying out their duties.

# Who needs to follow this policy and why?

All board members, including those that sit on the board’s sub-committees.

# What’s our policy and how will we implement it?

***Duty to follow principles of public life***

Individual board members must follow the [Seven Principles of Public Life](https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2) set out by the Committee on Standards in Public Life[[3]](#footnote-4). These principles should inform your actions and decisions as a board member. The principles are:

* Selflessness
* Integrity
* Objectivity
* Accountability
* Openness
* Honesty
* Leadership

**General conduct**

***Duty to safeguard public funds***

Board members have a duty to ensure the safeguarding of public funds. You must comply with the rules set out in your term of appointment letter and Social Work England’s travel, subsistence and expenses policy. It is your responsibility to ensure compliance with all relevant HM Revenue and Customs’ requirements concerning payments, including expenses.

Board members must take appropriate measures to ensure that we conduct our operations as economically, efficiently and effectively as possible, with full regard to the relevant statutory provisions and to relevant guidance[[4]](#footnote-5).

Board members should not misuse official resources for personal gain or for political purposes.

***Duty not to accept benefits from third parties***

Board members should follow our Gifts and Hospitality Policy[[5]](#footnote-6). You are responsible for your decisions on the acceptance of gifts or hospitality and for ensuring that any gifts or hospitality accepted can stand up to public scrutiny and do not bring your public office and Social Work England into disrepute. You must never canvass or seek gifts or hospitality.

Board members must not accept any gifts or hospitality which might, or might reasonably appear to compromise their personal judgement or integrity or place them under an improper obligation. No inducement of any amount or value may be accepted under any circumstance. Any overt or covert offer of any inducement (of whatever value) for some action pertaining to a contract with an external third party individual or organisation, or concerning a future decision of the board must be referred immediately to the chair and/or the chief executive.

The corporate governance manager shall keep a register of gifts and hospitality. This will cover all invitations and offers of hospitality extended to staff and board members, whether they are accepted or declined. All individuals should maintain a personal record of gifts and hospitality. The register shall be available for periodic inspection by internal audit and will be made available at year end for review by external audit. All offers of gifts and hospitality involving the board and executive directors will be published within the annual report and website and could be disclosed to the public under the Freedom of Information Act 2000.

***Duty to preserve confidentiality***

Board members may receive information which is not in the public domain. It is the responsibility of each individual member to ensure that this information remains confidential, unless prior authorisation has been given by the chair for this to be discussed elsewhere. This duty of confidentiality continues to apply after members have left the board.

Board members must never use confidential information for their personal advantage or the advantage or disadvantage of anyone known to them or to disadvantage or discredit the board. Board members must not misuse information gained in the course of their public service for political purpose.

***Duty to act in the public interest***

Board members must act in good faith and in our best interests. They should not use their position to promote their personal interests or those of any connected person, firm or organisation.

In their public role, board members should be, and be seen to be, politically impartial. Board members should not make political statements or engage in political activity related to our role or activity.

***Duty to avoid conflicts of interest and to register interests***

Board members should avoid being influenced by others or placing themselves under obligation to any individual or organisation which might affect, or be perceived to affect, their ability to act impartially and objectively.

Board members must ensure that conflicts do not arise, or appear to arise, between their public duties and their private interests, whether these are financial or otherwise. It is the personal responsibility of all board members to declare any personal or business interests which may or may reasonably appear to conflict with their responsibilities.

Board members are expected to declare an interest at the start of a meeting or at the very latest the start of the agenda item to which the interest arises.

Board members may be asked by the chair to remove themselves from the discussion or determination of matters in which they have, or may be perceived to have, a financial interest. In matters in which they have a non-financial interest, board members should not participate in the discussion or decision on a matter where the interest might suggest that the board was biased.

Board members’ interests will be published on our website.

Board members will declare any other employment.

Where there is potential for interests to be material or relevant to us such interests should be declared and recorded in the register held and maintained by the executive office team. Examples of interests which should be declared, though not exhaustive, are:

* Directorships, including non-executive directorships, of private companies or PLCs.
* A paid or unpaid position on an advisory or other decision-making group that could influence how we spend taxpayers’ money.
* Ownership of private companies, businesses or consultancies, or shareholdings in the same; likely or possibly seeking to do business with us.
* A position of authority in another statutory, professional, commercial, charity, voluntary or other body, which could be seen to influence our work within operations.
* Any other interests or connection with public, private or other organisations that may have reason to work with us.
* Any close family member, or business associate who has any interests that may influence or be seen to influence us.

***Duty to promote equality, diversity and human rights***

The Equality Act 2010 created a ‘public sector equality duty’ covering all forms of discrimination, and which requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relation between different people when carrying out their activities.

Therefore, board members have a duty to promote equality, diversity and human rights and not discriminate unlawfully against any person, treating all people with respect, regardless of their race (including colour, nationality, and ethnic or national origin), religion or belief, sex, sexual orientation, gender reassignment, marital status, pregnancy and maternity, age, disability, marriage and civil partnership.

**Failure to comply with Code of Conduct**

If any board member fails to perform the duties required of them or display the standards of conduct expected of them, they may be judged as failing to carry out the duties of their office. This could lead to them being removed from the board.

Failure at any time by a board member to disclose information about their personal or professional history or conduct, which could cause embarrassment or bring us into disrepute, would constitute a serious breach of this Code.

If this policy isn’t followed, the most appropriate course of action will be agreed between the policy owner and the chair, dependent on the circumstances.

# Roles and responsibilities

## Chair of the board

The Chair is responsible for overseeing the board’s Code of Conduct by specifically:

* encouraging and promoting high standards of propriety;
* ensuring that, in reaching decisions, the board takes proper account of guidance provided by Ministers and the sponsor department (Department for Education) and the board’s sub-committees;
* maintaining a register of declared interests;
* representing the views of the board to the general public; and
* ensuring that all decisions are only made where the board is quorate.

The chair will ensure that the board meets at regular intervals throughout the year and that the minutes of meetings accurately record the decisions taken and matters discussed. The chair should ensure that all board members feel able to contribute to the board’s discussions.

## Board members

The responsibilities of board members in relation to the Code of Conduct include ensuring that:

* high standards of corporate governance are observed by the board at all times;
* we operate within the limits of our statutory authority and any delegated authority agreed with Ministers and the Department for Education (sponsor Department), and in accordance with any other conditions relating to the use of public funds; and
* we comply with any duties imposed on public bodies by statute, including obligations under health and safety legislation, the Human Rights Act 1998, the Equality Act 2010, the Freedom of Information Act 2000 and data protection principles (as set out in Article 5 of the UK GDPR and section 35 of the Data Protection Act 2018 (which relates to data processing for law enforcement purposes). Board members have a collective duty to ensure that their decision-making processes are transparent. When a decision is made in private, there must still be transparency around the process, which resulted in a decision being made. Each board member has a personal responsibility to ensure that they have sufficient understanding and information to participate in the decisions that are made by the board.

Board members’ engagement with the public should be based on the core principles of integrity, competence and confidentiality. Any public statements should accurately reflect our policies and practices and not compromise or threaten our reputation as the independent social work regulator.

4.3 Conducting board meetings

Board meetings must be well-conducted, and the decisions taken should be well-informed. Therefore, board members should:

* take account of the views of others, but should reach their own conclusions on the issues before them and act in accordance with those conclusions;
* be as open as possible about their actions and decisions, being prepared to give reasons for their actions and willing for their decisions and actions to be scrutinised and challenged in a constructive way;
* allow everyone to take part, respecting the contribution of other members and not interrupting when someone is speaking, nor be dismissive of views expressed by others;
* respect the impartiality and integrity of other board members, never being derogatory in their speech or manner. Members should not use language which could be construed as discriminatory or offensive to others;
* act in alignment with our values, behaviours and culture.

## 4.4 Responsibilities towards employees

Board members will treat any colleagues employed by Social Work England, temporary agency workers, and contracted partners with courtesy and respect. It is expected that they will be shown the same consideration in return.

Board members will not ask or encourage employees to act in any way which could conflict with their own Code of Conduct.

## 4.5 Social media

Board members should follow our social media policy.

Social media is a public forum and the same considerations, including the provisions in this Code, apply as if speaking in public or writing something for publication, either officially or in a personal capacity. When engaging with social media board members should at all times respect confidentiality, financial, legal and personal information.

Where any personal social media accounts used by board members link to their public role, they should take care to ensure that it is clear what capacity you are acting in.

**5 Raising concerns**

If a board member wishes to express a concern about the behaviour of another board member, they should in the first instance raise the issue with the chair. If the concern involves the chair, the board member should raise the matter with the senior independent director/deputy chair, or chief executive. Following this, If the concern is still not resolved, the board member should contact the Department for Education.

Where a board member has reason to believe that a very serious wrong-doing has taken or is taking place, (e.g. a criminal offence or a staff member is failing to comply with a legal obligation) they should raise this immediately with the chair and/or the chief executive.

# 6 Related policies, procedures and information sources

[Board declarations of interest and conflict resolution policy](https://socialworkengland.sharepoint.com/sites/documents/SitePages/Board-declaration-of-interest-and-conflict-resolution-policy.aspx)

[Gifts and hospitality policy](https://socialworkengland.sharepoint.com/sites/documents/SitePages/Gifts-and-hospitality-policy.aspx)

[Social media policy](https://socialworkengland.sharepoint.com/sites/documents/SitePages/Social-media-policy.aspx)

# 7 Queries?

If you have a query about this policy, please contact our corporate governance manager.

# Definitions

## 8.1 Non-departmental public body (NDPB)

According to [www.gov.uk](http://www.gov.uk), a NDPB is a “body which has a role in the processes of national government but is not a government department or part of one, and which accordingly operates to a greater or lesser extent at arm’s length from ministers.”[[6]](#footnote-7)

## 8.2 Code of conduct

A code of conduct is a set of rules outlining the norms, rules, and responsibilities of, and or proper practices for, an individual.

Last reviewed: February 2025

Next review: February 2026

Signed off by board: March 2025

Policy owner: Executive Director – People and Business Support

1. <http://www.legislation.gov.uk/ukpga/2017/16/part/2/enacted> [↑](#footnote-ref-2)
2. [Code of conduct for board members of public bodies - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/code-of-conduct-for-board-members-of-public-bodies) [↑](#footnote-ref-3)
3. [The Seven Principles of Public Life - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/the-7-principles-of-public-life) [↑](#footnote-ref-4)
4. For more guidance on how to handle public funds, please refer to Managing Public Money https://www.gov.uk/ government/publications/managing-public-money [↑](#footnote-ref-5)
5. [Gifts and hospitality policy (sharepoint.com)](https://socialworkengland.sharepoint.com/sites/documents/SitePages/Gifts-and-hospitality-policy.aspx) [↑](#footnote-ref-6)
6. <https://www.gov.uk/guidance/public-bodies-reform#ndpbs-executive-agencies-and-non-ministerial-departments> [↑](#footnote-ref-7)